United Nations A/AC.109/2010/SR.5

General Assembly

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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Summary record of the 5th meeting
Held at Headquarters, New York, on Monday, 21 June 2010, at 10 a.m.

Chairman: Mr. St. Aimée ..... (Saint Lucia)

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10-41466 (E)

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The meeting was called to order at 10.25 a.m.

Adoption of the agenda

1. *The agenda was adopted.*

Special Committee decision of 9 June 2008 concerning Puerto Rico (A/AC.109/2010/L.4 and L.8)

2. **The Chairman** informed the Committee that the delegation of Egypt wished to participate as an observer in the consideration of the item in its capacity as Chair of the Non-Aligned Movement and to make a statement in that regard.

3. *There being no objection, it was so decided.*

Draft resolution A/AC.109/2010/L.8

4. **Mr. Núñez** (Cuba), introducing draft resolution A/AC.109/2010/L.8, noted that the current year was the fiftieth anniversary of the adoption of General Assembly resolution 1514 (XV). The draft resolution called once again on the Government of the United States to allow the Puerto Rican people to exercise its inalienable right to self-determination and to complete the return of all lands occupied in the past and the facilities in Vieques and Ceiba to the Puerto Rican people.

Hearing of petitioners (aide-memoire 11/10 and Add.1)

5. **The Chairman** drew attention to the further requests for hearing contained in the addendum to aide-memoire 11/10. He took it that the Special Committee wished to accede to those requests.

6. *It was so decided.*

7. **The Chairman** said that, in line with the Special Committee's usual practice, petitioners would be invited to address the Special Committee and would withdraw after making their statements.

8. **Mr. Hernández González** (Colegio de Abogados de Puerto Rico) said that the results of plebiscites held in Puerto Rico had been ignored by the United States.

9. The United States had persecuted Puerto Rican independence activists in a variety of ways. People in custody had died, there had been attacks on journalists and cases had been fabricated against people because of their political affiliation. Recently even supporters of the status quo, including two former governors, had stated that they had been victimized. The Government of the United States acted with impunity in Puerto Rico, conducting reprisals against those who had denounced the colonial situation. The President of the United States did not intervene.

10. Puerto Rico could not enter into international or bilateral agreements which would ease the effects of the economic crisis. Over 20,000 public employees had been laid off and over 100,000 jobs had been lost in the private sector. Puerto Rico was required to maintain the United States Navy, the most expensive in the world, in its ports. Capital punishment was prohibited by the Constitution of Puerto Rico, but the United States attempted to impose it nonetheless.

11. Even those who defended the status quo admitted that the current situation was illegal and must urgently be brought into line with international law. The United States must stop impeding efforts by the Puerto Rican people to exercise their right to self-determination. It was important to acknowledge the right to convene the constitutional assembly.

12. **Mr. Rivera Reyes** (PROELA) noted that, while the Second International Decade for the Eradication of Colonialism was coming to a close, objectives had not been met. Unilateral acts by the Government of the United States of America over the 57 years since the adoption of General Assembly resolution 748 (VIII) showed that it had ignored its international obligations. Over the decades, the administering Power had established various bodies to make it appear that action was being taken. However, there had been no results.

13. There were plans for a United States Government report on the situation between the United States and Puerto Rico, but President Obama had yet to make a firm commitment to respect and further the right of Puerto Rico to self-determination.

14. Puerto Ricans who had spoken out and defended the dignity of their people had been persecuted by the federal security and intelligence agencies. The federal authorities had attempted to impose capital punishment in Puerto Rico despite rejection of the measure by the local population.

15. Involvement by the United States in local affairs included the unilateral setting of prices for locally produced milk, the issuance of an executive report stating that Puerto Rico could be unilaterally ceded to

any other international power and steps to intervene and directly influence domestic elections.

16. Recognition of a constitutional status assembly should be accorded. As authorized by Article 96 of the Charter of the United Nations, the Special Committee should request an advisory opinion from the International Court of Justice on the case of Puerto Rico.

17. **Mr. Rivera** (Puertorriqueños Unidos En Acción) noted that 2010 marked the fiftieth anniversary of the adoption of General Assembly resolution 1514 (XV). Over those 50 years, 14 States which were currently members of the Special Committee had achieved their independence. However, despite the fact that the Second International Decade for the Eradication of Colonialism was drawing to an end, Puerto Rico, the oldest colony in the world, had yet to obtain its independence. The only realistic way to find a solution for Puerto Rico was to raise the issue in the plenary of the General Assembly. Solutions proposed by the federal authority were merely obstacles which served to hamper the deliberations of the Special Committee and confuse international public opinion.

18. A bill on the holding of a plebiscite which had been approved by the House of Representatives of the United States did not commit the Government of the United States to respect the outcome of the plebiscite, and it also required inclusion of current status as one option for resolving the colonial problem. Such manipulations by the Government of the United States forced the colony to submit to colonialism by consent. The President's Task Force on Puerto Rico had claimed that it wished to hear the opinions of the people of Puerto Rico, but it had not heard the claims of civil society, holding hearings at which participants' statements had been limited to three minutes. The situation of Puerto Rico should be discussed not in Puerto Rico and not in the executive branch of the United States Government, but at the United Nations, in the Special Committee.

19. An exercise in self-determination and decolonization must guarantee a constituent assembly as a mechanism for deciding the political future, with broad participation, including that of the diaspora, through election of delegates. It must also guarantee the release of political prisoners.

20. **Mr. López** (Alianza pro Libre Asociación Soberana) said that free association was a dynamic mechanism for managing the transition from colony to sovereign nation without violent revolution or political chaos. Free association was rapidly gaining in popularity among Puerto Ricans.

21. While it was hoped that President Obama would address the Puerto Rican issue during his first term, changes to a bill in the House of Representatives had caused disappointment among Puerto Ricans. Originally the bill had contained three decolonization options, but it had been amended to include colonial commonwealth status as a fourth one.

22. The lack of activity in the United Nations was regrettable, as it prevented the issue of Puerto Rico from being brought before the General Assembly. In violation of the Constitution of Puerto Rico, which prohibited the death penalty, the Government of the United States continued to seek the death penalty when bringing defendants to trial in United States district courts in Puerto Rico.

23. An official report produced under President George W. Bush made it very clear to Puerto Ricans that the Government of the United States did not recognize any Puerto Rican sovereignty, defining Puerto Rico as an unincorporated territory subject to the plenary powers of the Congress of the United States.

24. The Committee should recognize Puerto Rico as a country which had not exercised the right to self-determination and should recognize the right of Puerto Rico to choose among the three alternatives for self-government listed in the annex to General Assembly resolution 1541 (XV). Because the issue of Puerto Rico had not been included on the agenda of the General Assembly plenary, Puerto Ricans felt abandoned by the international community. The deliberations in the Special Committee had lost moral force among large sectors of the population of Puerto Rico, owing to inaction on the issue. Because of the lack of a sense of urgency, Special Committee members were abetting the perpetuation of colony status. A clear deadline must be set for the initiation of the decolonization process for Puerto Rico.

25. **Ms. Rexach** (National Advancement for Puerto Rican Culture) noted that United States citizenship had been granted to all Puerto Ricans in 1917 under the Jones Act. However, despite the fact that Puerto Ricans had fought and died for the United States in many wars, they did not have the same rights as other

citizens. They could not vote to elect the President, members of the Senate or House of Representatives. The overwhelming majority of Puerto Ricans wanted Puerto Rico to become the fifty-first State and did not want to lose their United States citizenship. There had been dishonesty on the part of the previous governor of Puerto Rico and recent election fraud, which had not helped matters.

26. **Mr. Adames** (Puerto Rican Cultural and Literary Organization) said that Puerto Rico was the fifty-first state of the United States and had suffered tremendous discrimination for over a century. Since the adoption of the Jones Act, Puerto Rico had been waiting in line for statehood. However, Hawaii and Alaska had attained that status ahead of Puerto Rico, although Puerto Rico had been waiting longer. Since 1948, Puerto Rico had had the right to elect its own governor, bringing its status closer to that of statehood. It had been sending soldiers to fight in American wars since the Second World War.

27. The call to resolve the colonial issue of Puerto Rico had been used by certain countries, particularly Cuba, to create a distraction within the United Nations.

28. **The Chairman** said that the topic under discussion was Puerto Rico. Mention of any other country, especially a member of the Committee, was not acceptable.

29. **Mr. Núñez** (Cuba), speaking on a point of order, said that while he respected the anti-independence sentiments of the speaker, he requested the Chairman to remind the speaker of the subject under discussion. Interventions in the Committee should not serve as ploys for attacking particular countries.

30. **Mr. Adames** (Puerto Rican Cultural and Literary Organization) said that it was time to stop the game of distraction and demand that Puerto Rico become the fifty-first state with all the relevant rights and federal protections.

31. Furthermore, the Committee should include on its agenda the cases of other countries where millions of people lived without freedom.

32. **Mr. Martín** (Partido Independentista Puertorriqueño) said that it was significant that the petitioners included the Chair of the Socialist International Committee for Latin America and the Caribbean and a representative of the Permanent Conference of Political Parties of Latin America and the Caribbean. Their presence showed the importance of the cause of decolonization and Puerto Rican independence to Latin America and the Caribbean. The cause of freedom for Puerto Rico constituted a just historical demand and a belief in a future of greater regional integration.

33. The adoption of the resolution before the Special Committee must remind and warn the Government of the United States of America that Bill 2499, recently adopted by the House of Representatives, was a farce because one of the self-determination options it offered was continued colonialism, as though that were on an equal footing with the decolonization options recognized in international law.

34. Acceptance by the Government of the United States of Puerto Rico's territorial and colonial subordination to Congress was not enough. International pressure must lead to a United States commitment to decolonize Puerto Rico.

35. The Puerto Rican Independence Party was totally against any referendum that offered the choice of continued colonialism. It had proposed first a call for decolonization, to be followed by a Constitutional Assembly on Status, where all alternatives had to meet the requirements for decolonization established in resolution 1514 (XV) and relevant international law.

36. It was time for the General Assembly finally to consider the case of colonialism in Puerto Rico, leaving behind the distortions and aberrations of twentieth century imperialism.

37. **Mr. Pesquera Sevillano** (Movimiento Independentista Nacional Hostosiano) said that before it had been invaded by the United States, Puerto Rico had been a productive, hard-working and supportive society, on the verge of gaining its independence. Imperialism and expansionism quickly and progressively had destroyed the economy, making it dependent on goods from the mainland. Puerto Ricans held less than half the jobs in the economy, official unemployment was 17 per cent, 48 per cent of the population was dependent on welfare and 67 per cent lived below the poverty line.

38. Agriculture, which had flourished at the time of the invasion, had collapsed as the country had gone from self-sufficiency to dependence, importing 85 per cent of what it consumed from the United

States. Small business in all sectors had been driven out by the competition of large United States chains.

39. During the occupation and militarization of the island, United States armed forces had polluted thousands of acres with Agent Orange and other chemicals used in military experiments.

40. The collapse of the colonial economy had led successive Governments to survive by increasing the debt. From US $2.7 billion in 1972, it had risen to more than US $60 billion. The invader had caused enormous social, economic and ecologic harm but it was Puerto Ricans who owed the mainland billions of dollars. The country remained poor and dependent, leading to the exodus of half of its population.

41. Solving Puerto Rico's colonial problem was not simply a question of dignity and principles but an urgent need if it was to overcome the serious economic, social and political problems that had caused the crisis in the island. The United States Government must face up to its historic responsibility, stop harming the ecology, economy and inhabitants and prepare to compensate the country for more than 112 years of colonialism and exploitation.

42. Under international law, which was the only foundation for consideration by the United Nations of the case of Puerto Rico, the United States must acknowledge that the eight million Puerto Ricans had the right to self-determination. Exercising their sovereignty, Puerto Ricans proposed a Constitutional Assembly on Status as the mechanism to achieve their decolonization. The Assembly must be organized, financed and conducted by Puerto Ricans without the intervention of the United States, following the guidelines of applicable international law.

43. Inviting the Special Committee to send a delegation to Puerto Rico to see for itself the critical colonial situation of the island, he demanded that the case of Puerto Rico be considered as an item on the agenda of the General Assembly.

44. **Ms. Reverón Collazo** (Comité Puerto Rico en las Naciones Unidas) said that many achievements had been made possible by the support of the international community. The Special Committee had shared the struggle of the people of Puerto Rico for the release of the political prisoners. Of the three remaining, Óscar López Rivera, Carlos Alberto Torres and Avelino González Claudio, the first two were serving sentences of more than 29 years. The Special Committee had also joined the people in the struggle to remove the United States Navy from Vieques. Demands for decontamination and the return of the land to the people of Puerto Rico remained on the agenda.

45. However, the international community had to give more proactive support to reject imposition of the death sentence in Puerto Rico, through the application of a United States law, despite the fact that capital punishment had been abolished by Puerto Rico in 1929, and banned by its Constitution in 1952.

46. The United States violated Puerto Rico's right to sovereignty and independence and showed no sign of respecting or taking seriously either the repeated demands of the Special Committee in its resolutions or those made in statements by governmental and non-governmental organizations. The United States ignored those statements to ensure they would have no effect.

47. One result was that the United Nations continued to brush under the carpet Puerto Rico's status as a colony. It was not included in the materials it disseminated, which stated that only 2 million people lived under colonialism, excluding the 8 million Puerto Ricans. Those materials must be revised and the United Nations must break through the wall of silence that the United States had built around the case.

48. Puerto Ricans had fought imperialist deafness. In 1950, Óscar Collazo and Griselio Torresola had attempted to assassinate President Truman, to appeal to the conscience of the world. In 1954, Lolita Lebrón, Rafael Cancel Miranda, Andrés Figueroa Cordero and Irvin Flores had carried out an attack on the House of Representatives and denounced the fraud committed when the United States had voted in favour of General Assembly resolution 748 (VIII).

49. It was untrue that Puerto Rico had exercised its right to self-determination when it had become a commonwealth, as recognized by the reports of the United States Interagency Working Group on Puerto Rico, which stated that Puerto Rico was subject to the authority of Congress. Therefore, in the light of resolution 1514 (XV) and successive resolutions on Puerto Rico, it was imperative that the General Assembly should examine the case.

50. The colonial impotence suffered by Puerto Rico could be seen every day. The fact that the island was

under the jurisdiction of the United States for customs purposes made it easy for traffickers to use Puerto Rico to send drugs to the mainland; to guarantee their filthy trade they corrupted legislators who both supported statehood and persecuted pro-independence activists. However, despite all efforts to break their spirit, the students' recent defence of the right to education was a victory for all the people of Puerto Rico.

51. After adopting the resolution, the Special Committee must not allow the United States to continue to adopt laws on Puerto Rico that ignored international law. The Special Committee should request permission from the United States to hold a seminar in Puerto Rico so that it could directly ascertain the desires of its people.

52. **Mr. Villanueva Muñoz** (Comité Pro Derechos Humanos de Puerto Rico) said that his organization was fighting for the release of political prisoners Carlos Alberto Torres, Óscar López Rivera and Avelino González Claudio.

53. The plebiscite proposed in the bill recently adopted in the United States House of Representatives would offer the option of continuing with the status quo, but colonialism would not be justified by consent. The idea that in 1952 Puerto Rico had exercised self-determination had been a monumental hoax. After that, the Puerto Rico Constitution of 1952 had been a straightjacket specifying that any amendments were subject to United States legislation, proving that it was a colony.

54. Several Nobel Peace Prize laureates supported the release of the political prisoners. President Obama must listen to them and permit true self-determination for Puerto Rico. He must not demand freedom for political prisoners elsewhere while holding Puerto Ricans in jail.

55. The United States must clean the Navy contamination of Vieques, not impose the death penalty, respect the right to bail in criminal cases and cease phone-tapping. Puerto Rico must be opened up to the world.

56. **Ms. Jan Susler** (National Lawyers' Guild International Committee) said that the bill that had been before the United States Congress had been seen as promoting statehood, failing to comply with the Special Committee's resolutions which called for self-determination for the people of Puerto Rico. The President's Task Force on Puerto Rico, created in 2000, was to issue its report in October 2010, but even supporters of statehood saw the Task Force as lacking interest or ignorant.

57. The colonial Administration threatened the future of the nation. Its fiscal measures had included 20,000 lay-offs of Government employees; it had packed the Supreme Court with statehood supporters; attempted to do away with the Puerto Rico Bar Association; threatened to privatize assets; slashed cultural budgets; and moved against Dominican immigrants and the descendants of displaced workers. Despite those cuts and the banking crisis, it had spent huge sums lobbying Congress to influence annexationist legislation.

58. The International Committee had visited Puerto Rico to investigate the persecution of human rights activists and help defend them. Resistance to human rights violations had grown and the strike by students in the first half of 2010 had received widespread support from society.

59. Carlos Alberto Torres had spent 30 years in prison for his struggle for independence and would be released in July 2010. Óscar López Rivera had been in prison for 29 years and recently had not been allowed to leave to visit his gravely ill sister. Avelino González Claudio had been sentenced to a term of seven years, despite severe illness.

60. **Mr. Manuel Laguarda** (Socialist Party of Uruguay, Vice-President of Socialist International) said that he was complying with the resolution on Puerto Rico adopted by the Socialist International's Committee for Latin America and the Caribbean, supporting independence and requesting that a delegation attend the meeting of the Special Committee to state its position.

61. It was an insult for Latin America and the Caribbean that, in the last year of the second International Decade for the Eradication of Colonialism and 200 years after the struggle for independence had begun in Latin America, colonial cases such as Puerto Rico and the Malvinas Islands still existed. Expressions of support for Puerto Rico had historically been wide-ranging, in international political groupings, Governments and among leading figures.

62. Resolution 1514 (XV) was applicable to Puerto Rico and the General Assembly must examine the case,

pursuant to the 28 resolutions adopted in the Special Committee. The United States must allow the people of Puerto Rico to exercise the right to self-determination, in accordance with international law, and the United States Government must clean up the island of Vieques and remedy the ecological and economic effects of the military facilities there.

63. All the countries of Latin America and the Caribbean must coordinate efforts to ensure that the General Assembly would take up the case of Puerto Rico.

64. **Ms. Centeno Rodríquez** (American Association of Jurists) said that recently declassified information showed that there had been chemical weapons experiments in Puerto Rico over a period of 12 years, with the participation of the Dow Chemical Company. Although nuclear energy experiments in the heavily visited El Yunque national forest had ended and monitoring was apparently no longer necessary, the people of Puerto Rico had not participated in the environmental assessment and had not been informed of the nuclear radiation or its dangers. There had been complaints that depleted uranium ammunition had been used in Vieques. Nuclear weapons had been stored in Puerto Rico, in violation of the Treaty on the Non-Proliferation of Nuclear Weapons and the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean. There had been reports of military devices operating at dangerous power levels and at frequencies of above 40 GHz. Puerto Rico was the missile shield of the Americas and the Arecibo facility had a massive transmission capacity that reached out into space. Military activities were conducted with complete disregard for the safety, health, well-being, human rights and political, economic and social development of the people of Puerto Rico. The United States intended to evade its international obligations related to military activities by means of the Puerto Rico Democracy Act.

65. In view of the actions of the United States, the case of Puerto Rico must be addressed by the General Assembly.

66. **Mr. Giustiniani** (Conferencia Permanente de Partidos Políticos de América Latina) supported the resolution on Puerto Rico that was before the Special Committee. His country, Argentina, which was celebrating 200 years of independence, had been demanding its sovereign right to the Malvinas Islands for 180 years.

67. The Senate of Argentina supported Puerto Rican independence unanimously because it shared the achievement of freedom, self-determination and independence of all peoples, wherever they were in the world.

68. The human rights of equality, liberty and justice must apply to all. Toussaint L'Ouverture had understood that when he had led the first victorious struggle for independence and against slavery in Haiti. In the early nineteenth century, patriots had rebelled across Latin America to set up the first independent Governments and merchant vessels had spread the word of the slaves' rebellion from island to island in the Caribbean.

69. The General Assembly must consider the case of Puerto Rico because it was still a colony, 50 years after the adoption of resolution 1514 (XV). Colonialism was against international law and the argument that a people could consent to it was unacceptable because freedom was a fundamental human right.

70. **Mr. Martin Torrijos** (Chair of the Socialist International Committee for Latin America and the Caribbean) said that the full inclusion of Puerto Rico in the family of Latin American and Caribbean republics had figured in ideological and political discourse for more than a century.

71. That aspiration was part of a moral and cultural debt that Latin America had not been able to honour. The right to independence had been seen as opposition to the United States but now that the Cold War was over, and colonialism could not be justified, things had changed.

72. The Special Committee had reiterated that the Puerto Rican people constituted a Latin American and Caribbean nation that had its own unequivocal national identity. Therefore, the United States must allow the people of Puerto Rico to exercise fully its right to self-determination and independence.

73. The United States Government had acknowledged the colonial status of Puerto Rico. The Socialist International and regional organizations had seen that decolonization could be achieved in a matter satisfactory to all parties concerned and all of Latin America and the Caribbean would support Puerto Rico

in its decision on how it wished to proceed, in accordance with international law.

74. The decolonization of Puerto Rico, and ensuring Argentine sovereignty over the Malvinas Islands, were questions of principle for Latin Americans. Dialogue aimed at a dignified resolution of the problem of Puerto Rico must be promoted. The Special Committee must insist on the question of Puerto Rico being addressed by the General Assembly.

75. **Mr. Richard López** (Frente Patriótico Arecibeño) said that the United States military was engaged in high-technology projects in Puerto Rico, at enormous cost, that endangered human health. High-power, low-frequency transmissions were being used to release radiation into the ionosphere, trapped in the Van Allen belts since nuclear experiments had first been conducted in 1958. The intention was to reduce the risk of radiation harming satellites, while allowing particles charged with nuclear radiation to fall to Earth in an act of environmental terrorism.

76. "Silver lining" geo-engineering had been discussed by the United Nations in Nairobi in 2010, along with its implications for the 1976 Geneva Convention on the Prohibition of Military or any other Hostile Use of Environmental Modification Techniques. However, while Puerto Rico's colonial status prevented it from attending such meetings, that status had allowed the United States to conduct its work. Puerto Rico's other military installations were so powerful they could be compared to Poland's missile shield.

77. Those activities violated the right to life and environmental rights. The United States could not be trusted to tell the truth about its military projects because it would have to face its responsibilities towards countries affected by nuclear explosions, especially when it was working to remove radiation from the atmosphere and let it fall to Earth.

78. Puerto Rico had been condemned to stagnation, unemployment, the destruction of agriculture, education, manufacturing, culture and trade, and a reduction in its population through emigration and catastrophic diseases. The case of Puerto Rico must be dealt with in the General Assembly.

79. **Ms. Paula Santiago** (Partido Nacionalista de Puerto Rico) said that the work of the Special Committee and its resolutions on Puerto Rico were essential to end colonialism. Every person was responsible for everybody else's peace and well-being and nobody was free until everybody was free.

80. To guarantee the people of Puerto Rico the right to self-determination and the protection of human rights, the Government of the United States had been urged to stop persecuting pro-independence activists and environmentalists, to free those it had jailed and to prosecute those responsible for political assassinations. However, it was a matter of concern that the case had not been taken up by the General Assembly, not to mention that the Special Committee could be dissolved before the case of Puerto Rico and those of other colonies such as Martinique had been resolved.

81. The United States continued to exploit Puerto Rico, driving the inhabitants into poverty and dependence on welfare while spreading the businesses that took advantage of them. Puerto Ricans had lost their national pride and believed that they survived only thanks to federal aid. The Administration had engaged in a privatization programme that had cut 20,000 public-sector jobs. Fortunately, the patriotic two-month student strike to defend the education system had been victorious.

82. The United States had persuaded most States to abstain in the vote on General Assembly resolution 748 (VIII), which had freed it of its reporting obligations related to the colonial situation of Puerto Rico. The free States of the world must put the case of Puerto Rico to the General Assembly and demand that the United States resume its reports. It must commit itself to genuine decolonization, supported by the international community and in accordance with resolution 1514 (XV).

The meeting rose at 1 p.m.

United Nations A/AC.109/2010/SR.6

General Assembly

Distr.: General
16 July 2010

Original: English

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Summary record of the 6th meeting
Held at Headquarters, New York, on Monday, 21 June 2010, at 3 p.m.

Chairman: Mr. St. Aimee ..... (Saint Lucia)

Contents

Special Committee decision of 9 June 2008 concerning Puerto Rico (*continued*)

Hearing of petitioners (*continued*)

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Any corrections to the record of this meeting and of other meetings will be issued in a corrigendum.

10-41472 (E)

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The meeting was called to order at 3.05 p.m.

Special Committee decision of 9 June 2008 concerning Puerto Rico (*continued*)
(A/AC.109/2010/L.4 and A/AC.109/2010/L.8)

Hearing of petitioners (*continued*)

1. **The Chairman** said that, in line with the Special Committee's usual practice, petitioners would be invited to address the Committee and would withdraw after making their statements.

2. **Ms. González Arias** (Coalición Puertorriqueña contra la Pena de Muerte) said that her organization, founded to oppose the death penalty, wished the Special Committee, in its draft resolution on Puerto Rico, to call for the prohibition of the application of capital punishment to Puerto Ricans. While Puerto Rico had legislated the abolition of capital punishment, a decision with constitutional status, it was subject to United States legislation, which permitted it.

3. The government of the Commonwealth of Puerto Rico was powerless to prevent the extradition of residents of the island to the mainland United States of America, where such penalties could be applied. Although, unless resident on the United States mainland, Puerto Ricans could not vote in United States elections, they were subject to the authority of the federal Government. Puerto Rico's lack of self-determination, owing to its legal relationship with the United States, was an aberration.

4. Direct and immediate action by the Special Committee was needed. The absence of self-determination, and the consequent application of the death penalty to Puerto Ricans against the will of the people, should be raised in the General Assembly.

5. **Ms. Aponte Rivera** (Comité de Familiares y Amigos de Avelino González Claudio) said that Mr. González Claudio, arrested by the United States Federal Bureau of Investigation for alleged membership in a pro-independence political organization and the planning of its operations, had been inhumanely treated by federal prison authorities, with the result that he had become seriously ill. The treatment was typical of that meted out to campaigners for independence since the establishment of the United States colonial regime in violation of the will of the people.

6. Her organization called on the United States to respect Puerto Rico's right to freedom in accordance with General Assembly resolution 1514 (XV), to put an immediate end to the United States military, legal and political presence in the island, to release all political prisoners, and to transfer authority to the people of Puerto Rico so that it might achieve its independence.

7. **Mr. Ramos Rosado** (Prolibertad Freedom Campaign) said that the imprisonment of Puerto Ricans for their political activities in the cause of independence was a violation of human rights. Puerto Ricans were second-class citizens at the mercy of the United States Government. United States citizenship was imposed upon them, but they were denied basic rights, including political representation.

8. He appealed for the release of the three remaining Puerto Rican political prisoners, whose status had been denied by the United States and who had been subjected to harsh treatment as punishment for their beliefs, a violation of international norms. The United States considered itself a bastion of democracy and a champion of human rights, yet it repressed Puerto Ricans and others, and exploited its exemption from the transmission of information under Article 73 *e* of the Charter to commit human rights violations in the island without being held to account.

9. The United Nations should take immediate action to end the colonial occupation of Puerto Rico.

10. **Mr. Ortiz** (Movimiento de Afirmación Viequense) said that the human rights of the residents of the island of Vieques were constantly violated by the United States Government, which over some 60 years had used the island for military manoeuvres and as a target range. The legacy was the presence of thousands of unexploded bombs, which were routinely destroyed by the setting of bush fires, resulting in widespread contamination of agricultural land and settlements. That had led to severe health problems and a high mortality rate among the population, environmental degradation and economic stagnation.

11. The refusal of the United States Government to accept responsibility for the harm caused, to clear and vacate land, and to pay compensation reflected the colonial status of Puerto Rico, and represented a systematic violation of human rights.

12. **Mr. Vega Ramos** (Partido Popular Democrático) said that the proposed Puerto Rico Democracy Act, by

presenting as an option the territorial subordination of the island, represented an attempt to engineer its annexation by the United States. However, the bill had been widely rejected in Puerto Rico.

13. Accordingly, the Special Committee, in its draft resolution, must reaffirm its earlier resolutions on Puerto Rico, in particular on its Commonwealth status, as well as the relevance of a constitutional assembly on status, call for an end to the application of the death penalty, and demand that the General Assembly reopen consideration of Puerto Rico's right to self-determination.

14. **Mr. Velgara** (Frente Socialista de Puerto Rico) called upon the Special Committee to condemn the colonial regime in Puerto Rico and urged the United States to recognize its right to independence.

15. The manner in which the United States Navy cleared unexploded ordnance on Vieques and the application of the death penalty — prohibited under the island's Constitution since 1952 — were testimony to the colonialist suppression of the people.

16. Rather than adopt further imperialist legislation, the United States Government should dismantle its military, legal and political machinery in the island, free all political prisoners, and transfer authority to the people of Puerto Rico.

17. **Mr. Koppel** (Socialist Workers Party) said that the struggles of students at the University of Puerto Rico, who had recently organized a successful strike against higher fees and reduced tuition waivers, and the experiences of Puerto Rican workers faced with public sector redundancies and wage freezes, highlighted the reality that Puerto Rico was a United States colony, as well as setting an example for working people and youth worldwide on how to resist capitalist rulers indifferent to everything except the profit motive. The people of Puerto Rico and workers and farmers in the United States of America had a common enemy, namely the Government of the United States and that country's billionaire families. A successful fight for the colony's independence was in the interests not only of the Puerto Rican people but also of the vast majority of the people of the United States of America.

18. He demanded the immediate release of the Puerto Rican political prisoners Oscar López and Avelino González and welcomed the fact that Carlos Alberto Torres was soon to be freed. The Cuban Five, who remained in the front line of the United States class struggle, must also be released from prison. Cuba's successful defence of its freedom over the past 50 years in the face of assaults by the United States Government disproved the imperialist claim that Puerto Rico could not survive without help from the United States.

19. **Mr. Rodríguez Banchs** (Movimiento al Socialismo) said that the Government of the United States maintained control over all key areas of the life of Puerto Rico, including defence, international relations, trade and immigration; the United States Administration had openly acknowledged that the island remained a United States colony. The Puerto Rican people were also subject to federal laws that violated human rights. Although the United States had signed and ratified a number of international conventions designed to protect workers' rights, many Puerto Rican workers were denied their right to freedom of association, to join trade unions, and to strike. Large corporations enjoyed a culture of impunity and the colonial Government had recently made thousands of public employees redundant by terminating many collective agreements.

20. Furthermore, United States prosecutors still applied the death penalty in Puerto Rico, even though it was expressly prohibited under Puerto Rican law, and the United States law enforcement and surveillance agencies continued to operate in Puerto Rico without being required to inform the Puerto Rican government of their operations. All Puerto Rican political prisoners held in United States prisons should be immediately and unconditionally released.

21. His organization called for Puerto Rico to be placed back on the list of Non-Self-Governing Territories and for the United States Government to report to the international community on Puerto Rico's progress towards self-determination and independence. The colonial status of the island should be taken up by the General Assembly on a priority basis, the powers currently exercised in Puerto Rico by the United States Government should be transferred to the Puerto Rican people, and the entire military, judicial and political apparatus of the United States should be immediately withdrawn. His organization was grateful to Cuba for its ongoing solidarity with the Puerto Rican people and appreciated the support shown by Bolivia (Plurinational State of), Ecuador, Nicaragua and Venezuela (Bolivarian Republic of).

22. **Mr. Concepción** (Movimiento Patriótico Canario) said it was incomprehensible that there still existed colonies and Territories, such as Puerto Rico, which had not achieved freedom and developed as sovereign nations. Colonialism was illegitimate, a crime against humanity that must be eradicated. Puerto Rico had suffered throughout its colonial history. The Canary Isles had been compelled by the Spanish Empire to send its inhabitants to Puerto Rico under a programme of enforced emigration. His organization, from the oldest colony in the world, expressed its solidarity with the people of Puerto Rico and all those seeking peace and security.

23. **Ms. Colón Solá** (Juventud Hostosiana) noted that 50 years after the adoption of General Assembly resolution 1514 (XV) there had been no improvement in the situation in Puerto Rico. The inability of the people to take their own decisions undermined their fundamental civil and political rights and their economic development. The United States had claimed that the people of Puerto Rico had exercised their right to self-determination through the establishment of the Commonwealth, but an intrinsic element of the Puerto Rican Constitution, the Bill of Rights, had not been approved by the United States Congress, impairing the rights of the people.

24. Individual and collective freedoms and rights were the sine qua non of democracy. The recent strike by students at the University of Puerto Rico offered a model for Puerto Rican aspirations for independence, which alone would allow the Puerto Rican people to pursue their development. The way ahead lay with a constitutional assembly on status, while the effectiveness of the proposed plebiscite would depend on freedom of expression, access to information and freedom to dissent.

25. Her organization called on the General Assembly to renew its consideration of the colonial status of Puerto Rico, since only thus would the aspirations for self-determination and independence embodied in resolution 1514 (XV) be honoured in the case of Puerto Rico. Lastly, she called for the immediate release of Puerto Rican political prisoners.

26. **Mr. Limeres** (Comité Puertorriqueño Pro Independencia de Puerto Rico) said that the people of Puerto Rico were hamstrung by their colonial status, which prevented them from making their own determinations. Puerto Ricans had an inalienable right to take decisions in such areas as education, immigration, health and economic affairs. The economic situation, violence and corruption in the island undermined the credibility of its institutions, which served the interests of the imperial Power and sought to destroy what was Puerto Rican. Yet the protests against the United States Navy in Vieques and the recent student strike offered worthy examples.

27. Puerto Ricans had been deceived by political events, in that the 1953 Commonwealth agreement had been cited before the United Nations as an indication of autonomy, so that Puerto Rico had not been considered a colony. Today, that agreement was completely discredited. The time had come for the United Nations to end that state of affairs and for dignity and justice to prevail.

28. **Mr. Collado Schwarz** (Instituto Soberanista de Puerto Rico) said that, following the establishment of the Commonwealth, the United Nations had decided that the United States need not transmit information on Puerto Rico, with the result that its status had been determined without reference to the criteria for decolonization. Yet internal documentation of the United States Government showed that the real aim had been simply to remove Puerto Rico from United Nations oversight, and that there had been no real change in its status. The outcome was that while the United States might view Puerto Rico as a self-governing democracy, elsewhere it was viewed as an instance of neocolonialism. More recently, the House of Representatives of the United States of America had recognized that Puerto Rico did not enjoy full democracy in that Puerto Ricans could not participate in elections or in the approval of legislation governing them.

29. As a colony, with no prospect of independence, Puerto Rico and its economy were in dire straits, with high unemployment, heavy public indebtedness, rampant crime and drug trafficking and widespread domestic violence. His organization did not see how Puerto Ricans could resolve those problems when they were not represented in Congress, which had full authority over the island. Accordingly, he requested the Special Committee to refer the decolonization of Puerto Rico to the General Assembly and urged that a constitutional assembly on status should be held to decolonize one of the last remaining colonies.

30. **Mr. Figueroa García** (Puertorriqueños Por Puerto Rico) said that his organization had participated in the Puerto Rican general elections as a new political party in 2008; it was now the third political force in Puerto Rico. Its members included advocates of all the different options for Puerto Rico's political status. On 9 June 2008, it had appeared before the Special Committee to propose an alternative process of self-determination for Puerto Rico; however, the resolution adopted the same day by consensus had not taken account of any of its recommendations.

31. Two years later, the self-determination process had still not been initiated. Although that was partly attributable to a lack of determination on the part of the United Nations, as well as to the failure of the United States to respond to the legitimate aspirations of the Puerto Rican people, the political parties in Puerto Rico were also responsible, since they sought to justify their existence by defending their own particular formula for determining the island's status, rather than by promoting a genuine self-determination process. While new opportunities for Puerto Rican self-determination had opened up in the past two years, particularly in light of the pledge by the Democratic Party, now in power in the United States, to "work with all groups in Puerto Rico to enable the question of Puerto Rico's status to be resolved during the next four years", the political parties in Puerto Rico remained as inflexible as ever.

32. The Committee should therefore facilitate a self-determination process that would allow the Puerto Rican people to decide their political status, free of interference from political parties. All the alternatives should be given equal consideration; the peoples of Puerto Rico and the United States should be properly informed about them; and all parties involved should agree in advance to respect whichever option was democratically chosen. Until that occurred, the Puerto Rican people would remain in economic, social and political crisis. His organization recommended that the General Assembly should take up the issue of Puerto Rico's self-determination as a priority; that the United Nations should call on the United States Administration to meet its undertaking to resolve the question of Puerto Rico's status during the next four years; and that the Organization should accept the self-determination process proposed by Puertorriqueños Por Puerto Rico.

Draft resolution A/AC.109/2010/L.8 (continued)

33. **The Chairman** announced that the Plurinational State of Bolivia had become a sponsor of draft resolution A/AC.109/2010/L.8, introduced by the representative of Cuba at the 5th meeting.

34. **Mr. Edrees** (Observer for Egypt), speaking on behalf of the Movement of Non-Aligned Countries, said that the Movement reaffirmed its position on the question of Puerto Rico, as contained in the Final Document of the Fifteenth Summit Conference of Heads of State and Government of the Movement of Non-Aligned Countries, held in Sharm el-Sheikh, Egypt. Recalling that, over the past 10 years, the Special Committee had adopted its resolutions on the issue of Puerto Rico by consensus, he called on the Government of the United States of America to expedite a process that would allow the Puerto Rican people to exercise fully their inalienable right to self-determination and independence, and to return the occupied land and installations on Vieques Island and at the Roosevelt Roads Naval Station to the Puerto Rican people. Lastly, he welcomed the Special Committee's willingness to adopt the draft resolution on Puerto Rico by consensus, as had also been the case in previous years.

35. **Mr. Valero Briceño** (Bolivarian Republic of Venezuela) said that his delegation, as a sponsor of draft resolution A/AC.109/2010/L.8, unconditionally supported the fundamental and inalienable right of the Puerto Rican people to sovereignty and self-determination. Although Puerto Rico had been removed, in 1953, from the list of colonial territories in respect of which transmission of information was required under Article 73 *e* of the Charter of the United Nations, the Puerto Rican people were still being denied their sovereignty. Consequently, his delegation reiterated its call for the United States Government to provide for a process that would allow the people of Puerto Rico to exercise fully their inalienable right to independence in conformity with General Assembly resolution 1514 (XV) and the relevant resolutions and decisions of the Special Committee.

36. The international community continued to make clear its commitment to the decolonization of Puerto Rico. In particular, the Final Declaration of the Tenth Summit of the Bolivarian Alliance for the Peoples of Our America (ALBA) had reiterated its members' ongoing support for Puerto Rico's struggle to achieve

national sovereignty and end the imperialist occupation and military threat. His delegation hoped that draft resolution A/AC.109/2010/L.8 would be adopted without a vote, as had been the case in previous years.

37. **Mr. Hermida Castillo** (Nicaragua), reiterating that Puerto Rico was an integral part of the Latin American and Caribbean region, said that its people had demonstrated extraordinary persistence in their struggle to exercise their right to self-determination and independence. Although 2010 marked the conclusion of the Second International Decade for the Eradication of Colonialism, and the fiftieth anniversary of the adoption of General Assembly resolution 1514 (XV), the General Assembly had still not considered and discussed fully the question of Puerto Rico. His delegation therefore called on the General Assembly to engage in broad consideration of the colonial situation of Puerto Rico as soon as possible, and urged the Government of the United States to assume its responsibility in the decolonization process and begin implementing the numerous resolutions adopted by the Special Committee. Puerto Rico's self-determination and independence were vital to end centuries of occupation, the plundering of its natural resources and the destruction of its natural environment.

38. The Puerto Rican people were clearly dissatisfied with their colonial status and all the island's political parties, as well as civil society, were calling for change. The possible establishment of a constitutional assembly had been welcomed by civil society organizations. The demands of the Puerto Rican people were also receiving growing support from the international community, including the Non-Aligned Movement, ALBA, and many political parties in the Latin American and Caribbean region. Nicaragua was convinced that one day Puerto Rico would assume its rightful place as a full member of the United Nations.

39. **Mr. Carrión-Mena** (Ecuador) said that Ecuador's Constitution enshrined the right to self-determination. It was regrettable that, although the Special Committee had been considering the issue of Puerto Rico for over 30 years, it had been unable to make concrete progress to end the colonial relationship. The many resolutions and decisions that it had adopted over the years should now be implemented. His delegation urged the General Assembly to actively consider the question of Puerto Rico in all its aspects and called for the States Members of the United Nations to renew the commitments they had made at the start of the Second International Decade for the Eradication of Colonialism. Ecuador's decision to co-sponsor draft resolution A/AC.109/2010/L.8 reflected its commitment to the Puerto Rican people and its hope that Puerto Rico would soon join the community of independent and sovereign States, as a Latin American and Caribbean nation with its own unequivocal national identity.

40. **Mr. Loayza Barea** (Plurinational State of Bolivia) said that, 50 years after the adoption of General Assembly resolution 1514 (XV), multilateralism was unquestionably the way to resolve challenges of various kinds. Colonialist policies belonged to an interventionist past and constituted an unacceptable anachronism in the twenty-first century. Puerto Rico's status as a Commonwealth had not changed its colonial relationship with the United States, while its so-called Constitution allowed the United States Congress to retain power over vital areas of the island's life and economy.

41. The majority of the Puerto Rican people were in favour of decolonization. The proposed constitutional assembly on status was particularly important as a mechanism to ensure broad and representative participation by the people of Puerto Rico in a genuine and transparent self-determination process, with the ultimate goal of independence. In view of the solidarity with Puerto Rico expressed by various regional bodies, multilateral forums, and civil society organizations, the question of its colonial status should undoubtedly be placed back on the agenda of the General Assembly for active consideration in all its aspects. A third international decade for the eradication of colonialism should also be declared without delay.

42. **Mr. Taleb** (Syrian Arab Republic) said that the people of Puerto Rico had been seeking self-determination for years. Thus far the Special Committee had adopted 28 draft resolutions and draft decisions reaffirming their right to self-determination and independence in accordance with General Assembly resolution 1514 (XV). The United States Government should assume its responsibilities in that regard.

43. His delegation fully supported the call by the Heads of State and Government of the Non-Aligned Movement at their fifteenth Summit for

implementation of the resolutions of the General Assembly demanding self-determination for the people of Puerto Rico. He trusted that the draft resolution before the Special Committee would be adopted by consensus, in a reaffirmation of international legitimacy and the principles of the United Nations, of which self-determination was the most important.

44. **Mr. Hosseini** (Islamic Republic of Iran) said that exercise of the right to self-determination of people under foreign dominance was the most important component of the decolonization process for the Territories within the purview of the Special Committee, including Puerto Rico, whose people had a sovereign right to self-determination. He hoped that the draft resolution would be adopted by consensus, thereby sending a clear message that the Special Committee fully supported their right to independence. He reiterated his Government's unwavering support for the complete elimination of colonialism.

45. *Draft resolution A/AC.109/2010/L.8 was adopted.*

46. **Mr. Benítez Versón** (Cuba), speaking in explanation of position, welcomed the adoption of the draft resolution, bringing to 29 the number of draft resolutions and draft decisions on Puerto Rico adopted by the Special Committee. Its adoption coincided with the fiftieth anniversary of the adoption of resolution 1514 (XV). The Cuban and Puerto Rican peoples were united by over a century of revolutionary struggle for independence, both having been colonized by Spain and then invaded by the United States in 1898. Despite suffering colonial domination for over a century, the people of Puerto Rico had preserved their culture and national identity. The people of Puerto Rico could rely on the solidarity of Cuba, which would always defend their legitimate right to self-determination and independence. He looked forward to the day when a free and sovereign Puerto Rico would join Cuba in the elimination of colonialism from the face of the Earth.

The meeting rose at 5.40 p.m.